

105TH CONGRESS
1ST SESSION

H. R. 2118

To prohibit smoking in Federal buildings.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 1997

Mr. TRAFICANT introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on the Judiciary, and House Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit smoking in Federal buildings.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ban on Smoking in
5 Federal Buildings Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) environmental tobacco smoke is a cause of
9 lung cancer in healthy nonsmokers and is respon-

1 sible for acute and chronic respiratory problems and
2 other health impacts among sensitive populations;

3 (2) environmental tobacco smoke comes from
4 secondhand smoke exhaled by smokers and
5 sidestream smoke emitted from the burning of ciga-
6 rettes, cigars, and pipes;

7 (3) citizens of the United States spend up to 90
8 percent of a day indoors and, consequently, there is
9 a significant potential for exposure to environmental
10 tobacco smoke from indoor air;

11 (4) exposure to environmental tobacco smoke
12 occurs in public buildings and other indoor facilities;
13 and

14 (5) the health risks posed by environmental to-
15 bacco smoke exceed the risks posed by many envi-
16 ronmental pollutants regulated by the Environ-
17 mental Protection Agency.

18 **SEC. 3. SMOKING PROHIBITION IN FEDERAL BUILDINGS.**

19 (a) SMOKING PROHIBITION.—On and after the 180th
20 day after the date of the enactment of this Act, smoking
21 shall be prohibited in any indoor portion of a Federal
22 building.

23 (b) ENFORCEMENT.—

24 (1) EXECUTIVE BRANCH BUILDINGS.—The Ad-
25 ministrator of General Services shall issue regula-

1 tions, and take such other actions as may be nec-
2 essary, to institute and enforce the prohibition con-
3 tained in subsection (a) as such prohibition applies
4 to Federal buildings owned or leased for use by an
5 Executive Agency.

6 (2) JUDICIAL BRANCH BUILDINGS.—The Direc-
7 tor of the Administrative Office of the United States
8 Courts shall take such actions as may be necessary
9 to institute and enforce the prohibition contained in
10 subsection (a) as such prohibition applies to Federal
11 buildings owned or leased for use by an establish-
12 ment in the judicial branch of the Government.

13 (3) LEGISLATIVE BRANCH BUILDINGS.—

14 (A) HOUSE OF REPRESENTATIVES.—The
15 House Office Building Commission shall take
16 such actions as may be necessary to institute
17 and enforce the prohibition contained in sub-
18 section (a) as such prohibition applies to Fed-
19 eral buildings owned or leased for use by the
20 House of Representatives.

21 (B) SENATE.—The Committee on Rules
22 and Administration of the Senate shall take
23 such actions as may be necessary to institute
24 and enforce the prohibition contained in sub-
25 section (a) as such prohibition applies to Fed-

1 eral buildings owned or leased for use by the
2 Senate.

3 (C) OTHER ESTABLISHMENTS.—The Ar-
4 chitect of the Capitol shall take such actions as
5 may be necessary to institute and enforce the
6 prohibition contained in subsection (a) as such
7 prohibition applies to Federal buildings owned
8 or leased for use by an establishment in the leg-
9 islative branch of the Government (other than
10 the House of Representatives and the Senate).

11 **SEC. 4. PREEMPTION.**

12 Nothing in this Act is intended to preempt any provi-
13 sion of law of a State or political subdivision of a State
14 that is more restrictive than a provision of this Act.

15 **SEC. 5. DEFINITIONS.**

16 For the purposes of this Act, the following definitions
17 apply:

18 (1) EXECUTIVE AGENCY.—The term “Executive
19 agency” has the same meaning such term has under
20 section 105 of title 5, United States Code.

21 (2) FEDERAL AGENCY.—The term “Federal
22 agency” means any Executive agency and any estab-
23 lishment in the legislative or judicial branches of the
24 Government.

1 (3) FEDERAL BUILDING.—The term “Federal
2 building” means any building or other structure (or
3 portion thereof) owned or leased for use by a Fed-
4 eral agency; except that such term does not include
5 any building or other structure on a military instal-
6 lation, any health care facility under the jurisdiction
7 of the Secretary of Veterans Affairs, or any area of
8 a building that is used primarily as living quarters.

9 (4) MILITARY INSTALLATION.—The term “mili-
10 tary installation” means a base, camp, post, station,
11 yard, center, homeport facility for any ship, or other
12 facility under the jurisdiction of the Department of
13 Defense, including any leased facility. Such term
14 does not include any facility used primarily for civil
15 works (including any rivers and harbors project or
16 flood control project).

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